



**Boston Air Pollution Control Commission  
Public Hearing Minutes: June 7, 2006  
Room 900 at 2:15 pm**

**Commissioners present:** Thomas Tinlin (BTD/ Chair), John Shea (BPHC), and Virginia Tisei.  
Staff represented by Laura Bickel.

[Commissioners Bart Mitchell and Martin Nee were not present.]

**Decisions taken**

**SOUTH BOSTON PARKING FREEZE APPLICATIONS:**

**(1) Necco Street/ Garage Access Way:** Request to reallocate seventy-two (72) existing spaces. Represented by Ruth Silman, Nixon Peabody; John Conley, Archon/ Boston Wharf Company; and Joseph Beggan, Rizzo Associates.

This application was continued from an earlier APCC hearing on March 15, 2006 in order to allow the applicant to re-configure the spaces in a way that did not include angled parking on private ways. The representatives requested modification of seventy-two (72) existing parking spaces included in six (6) permits (APCC ID #14.03, #14.36, #14.43, #14.44, #14.46 and #14.49).

Fifty-six (56) surface spaces will now be located along both sides of Necco Street and Garage Access Way, in accordance with a new site plan approved by the BTD and the APCC. Also, three (3) spaces will be added to the third level of an existing six-level garage, and eleven (11) spaces will continue to be located on the East side of the garage. There will be no effect on the South Boston Parking Freeze Bank.

A number of draft permit conditions were reviewed and approved.

Motion to approve a permit including the conditions: Motion -- Comm. Tisei, 2<sup>nd</sup> -- Comm. Shea, vote unanimous.

[Commissioner Nee arrived and was seated.]

**DOWNTOWN PARKING FREEZE APPLICATIONS:**

**(2) Yawkey Garage:** Request to modify an existing exemption from the Downtown Parking Freeze. Represented by John Messervy, Partners HealthCare; Mike Neville, Partners HealthCare; Bonnie Michelman, MGH Police, Security and Outside Services; and David Jackson, MGH Parking Services.

The representatives requested a modification of an existing exemption for 250 spaces to a total of 725 spaces. The sub-grade garage was constructed in conjunction with the new Yawkey Center medical facility in 2003. The representatives sought to legitimize the parking garage which today serves visitors and patients of the Yawkey Center and will eventually serve guests of a hotel to be built on the adjacent site. Approximately 350 patients and visitors use the parking facility at any

given time. No spaces will be made available to employees of the Yawkey Center or employees of the Massachusetts General Hospital (MGH). Today, there is one point of access to the garage from Cambridge Street, but construction of the hotel will create an additional driveway from Charles Street. The hotel parking will be valet-park, and the Yawkey Center visitor and patient parking will be self-park. There will be no effect on the Downtown Parking Freeze Bank.

Two representatives of 315 Cambridge Street, an abutting building, offered testimony. Their concerns involved the proponents' plans to have a 24-hour parking operation within the Yawkey Center garage, the contribution to congestion and traffic behind their building and to Cambridge Street, motor vehicle exhaust, and noise, especially from pedestrian warning systems. In other public processes, the proponents had committed to use the visitor and patient parking only on weekdays from 8 AM to 5 PM, and it was understood by all that the hotel's guest parking would be unrestricted, and would be accessed from Charles Street. Also, the access point for the garage has become a high-traffic area for pedestrians and a smoking and eating area for the medical facility employees. The abutters expressed a willingness to work with the proponents on these quality of life issues.

A number of draft permit conditions were reviewed and approved.

The Commission added a condition to require that the proponents make a good faith effort to resolve all outstanding issues with the abutters, in cooperation with various departments of the City of Boston. The Commission also directed the staff to oversee and assist with that process.

Motion to approve a permit including the special conditions: Motion -- Comm. Nee, 2<sup>nd</sup> -- Comm. Tisei, vote unanimous.

[Commissioner Tinlin excused himself from the remainder of the hearing.]

**(3) 530 Atlantic Avenue; 270 – 286 Congress Street (Russia Wharf):** Request to modify an existing Downtown Parking Freeze Permit and exemption. Represented by Katharine Bachman, Wilmer Cutler Pickering Hale & Dorr; Daniel St. Clair, Spaulding & Slye; Guy Busa, Howard/Stein-Hudson.

The proponents sought to modify a permit for 62 commercial spaces and exemption for 69 spaces in a 131-space surface parking lot (Map # 128). The application was to relocate the commercial spaces and increase the exemption to 588 spaces, for a total of 650 parking spaces in an indoor sub-grade garage. The parking garage will serve the Russia Wharf development project. Among the exempt spaces, 300 will be made available to residents and/or hotel guests, and 288 spaces will be made available to tenants, employees, patrons, visitors and guests of the project. Access to the garage will be from Congress Street. Construction is planned to begin in early 2007 for an opening in 2010. The proponents described the methods of allocating the spaces, the travel demand management (TDM) plans for the development and some of the features planned for the sub-grade garage. The proponents also described the drop-off, pick-up and queuing space available for valet parking. There will be no effect on the Downtown Parking Freeze Bank.

A number of draft permit conditions were reviewed and approved.

Motion to approve a permit including the special conditions: Motion -- Comm. Tisei, 2<sup>nd</sup> -- Comm. Nee, vote unanimous.

**(4) 390 – 406 Stuart Street and 131 Clarendon Street (The Clarendon):** Request to modify an existing Downtown Parking Freeze permit. Represented by Richard Rudman, DLA Piper Rudnick; Peter Nichols, Clarendon Street Associates; and Jane Howard, Howard/ Stein-Hudson.

The representatives sought to modify the terms of their existing permit for 93 commercial spaces (APCC Map # 193). The existing surface parking lot will be demolished and replaced by a mixed-use development project including 300 residential units, a restaurant, a post office and private health club. The building will have green roofs and achieve LEED “green building” certification. The garage will be 100% valet-park with access to a private way and to Private Alley # 559, which connect to Stuart Street. The building will also replace the post office, create an improved loading bay for the post office, and create 15-minute metered on-street parking for post office patrons. The proponents described the travel demand management (TDM) plans for the development and the features planned for the sub-grade garage. While the proponents have not yet signed a TAPA, the BTM staff contributed their comments during the APCC’s review. There will be no effect on the Downtown Parking Freeze Bank.

A number of draft permit conditions were reviewed and approved. Because the access to the garage is on a private way, the staff supported the proponents’ request for relief from a pedestrian warning system as a condition. Similarly, because the building will total thirty-two (32) stories, the staff supported the proponents’ request for relief from locating the ventilation system exhaust from the garage on the first tier of the building, rather than the roof, as long as it is a reasonable distance from any windows that open.

Motion to approve a permit including the special conditions: Motion – Comm. Tisei, 2<sup>nd</sup> -- Comm. Nee, vote unanimous.

**(5) West End Residences at Emerson Place:** A letter from the proponent requested a continuance until the next available hearing. The continuance was granted.

Commissioner Shea adjourned the hearing.